

# **TAMPA BAY ESTUARY BILL**

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## **HEARING**

BEFORE THE

**SUBCOMMITTEE ON FISHERIES AND WILDLIFE  
CONSERVATION AND THE ENVIRONMENT**

AND THE

**SUBCOMMITTEE ON OCEANOGRAPHY  
AND THE GREAT LAKES**

OF THE

**COMMITTEE ON  
MERCHANT MARINE AND FISHERIES  
HOUSE OF REPRESENTATIVES**

**ONE HUNDRED FIRST CONGRESS**

**FIRST SESSION**

**ON**

**H.R. 1063**

**A BILL TO REQUIRE THAT TAMPA BAY BE CONSIDERED  
FOR INCLUSION IN THE NATIONAL ESTUARY PROGRAM.**

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**JUNE 20, 1989**

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**Serial No. 101-24**

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## **H.R. 1063, A BILL TO ADD TAMPA BAY TO THE NATIONAL ESTUARY PROGRAM**

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**TUESDAY, JUNE 20, 1989**

**HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON FISHERIES  
AND WILDLIFE CONSERVATION AND THE ENVIRONMENT,  
SUBCOMMITTEE ON OCEANOGRAPHY AND THE GREAT LAKES,  
COMMITTEE ON MERCHANT MARINE AND FISHERIES,  
*Washington, DC.***

The Subcommittee met, pursuant to notice, at 2:07 p.m., in Room 1334, Longworth House Office Building, Hon. Gerry E. Studds (chairman, Subcommittee on Fisheries and Wildlife Conservation and the Environment) presiding.

Members present: Representatives Studds, Carper, Pallone, Unsoeld, Schneider, and Goss.

Staff present: Will Stelle, Joyce Sacco, Lori Williams, Lisa Pittman, Tom Melius, and Lisa Murray.

### **OPENING STATEMENT OF HON. GERRY E. STUDDS, A U.S. REPRESENTATIVE FROM MASSACHUSETTS, AND CHAIRMAN, SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION AND THE ENVIRONMENT**

Mr. STUDDS. The Subcommittee meets jointly this afternoon with the Subcommittee on Oceanography and the Great Lakes to discuss a bill to require that Tampa Bay be considered for inclusion in the National Estuary Program.

We are delighted to have with us two of the sponsors of that legislation, our colleagues, Sam Gibbons and Bill Young of Florida.

The purpose of the National Estuary Program is to provide long-term planning for restoring and protecting the water quality and ecological integrity of bays and estuaries of national environmental importance.

The program provides a framework within which businessmen, environmental groups, scientists, and Government, at all levels, can work together to establish a strategy for protecting estuaries from pollution.

To date, 12 bays and estuaries have been included in the program, while four more are expected to be added during this fiscal year.

H.R. 1063, the bill we will consider today, would require that Tampa Bay be considered for inclusion by the Administrator of the EPA on a priority basis.

The purpose of today's hearing will be to determine whether Tampa Bay deserves that designation; whether it can be added to

the program without detracting significantly from the consideration given to other areas of importance; and whether its inclusion would contribute to pollution control efforts already underway in the Tampa Bay area.

Mr. STUDDS. Does the gentlelady from Rhode Island have a statement? The gentlelady from Rhode Island.

Miss SCHNEIDER. No, Mr. Chairman. I have no formal comments. I would merely like to welcome our colleagues in their testimony before our Committee this afternoon and look forward to hearing what they have to say. Thank you.

Mr. STUDDS. With that, we will go directly to our distinguished colleagues, the two gentlemen from Florida, and we will assume that you have thought out or reasoned out the order in which you will proceed.

Mr. GIBBONS. Well, I have got—

Mr. STUDDS. Excuse me, one second, Sam. The gentleman from Florida, Mr. Goss, who is a Member of the Full Committee, is participating. Does the gentleman have an opening remark he wishes to make?

#### OPENING STATEMENT OF HON. PORTER J. GOSS, A U.S. REPRESENTATIVE FROM FLORIDA

Mr. Goss. Thank you, Mr. Chairman. I do have an opening remark that I would ask you accept into the record, and I do welcome my colleagues from Florida, and also we have a commissioner from Florida, and we have a member of the water management district. I would like to welcome them here today, also.

[The statement of Mr. Goss follows:]

#### STATEMENT OF HON. PORTER J. GOSS, A U.S. REPRESENTATIVE FROM FLORIDA

Mr. Chairman, thank you for scheduling this hearing to consider adding Tampa Bay to the priority list of the EPA's National Estuary Program. It is a pleasure to be joined by our two colleagues, Sam Gibbons and Bill Young, who introduced this bill and represent Tampa and St. Petersburg respectively. As an original cosponsor of the bill, I strongly encourage my colleagues on the Committee to join us in supporting this legislation, which would bring much needed assistance to this critical habitat.

Tampa Bay is one of the Nation's largest bays, and one of its most heavily utilized. This has created problems for the estuary's environment, but these problems are not intractable. Already, the Southwest Florida Water Management District and the Tampa Bay Regional Planning Council have made impressive progress in developing a "surface water improvement and management plan" that would tackle many of the Bay's problems. Based on this progress, one issue we should explore at today's hearing is the suggestion that an N.E.P. management conference convene for only 2 or 3 years, rather than the traditional 5.

Many bays and estuaries still need help in cleaning up their waters, but in any list of estuaries which have yet to be helped, Tampa Bay surely must rank at the top. It is an extremely important waterway in one of the Nation's fastest growing areas; designation as a National Estuary Program site would give the people of the Tampa Bay region the opportunity not only to take substantial, region-wide, steps to help the environment, but the opportunity to help themselves as well.

I commend my two colleagues for taking the time to appear before our Subcommittees today, and thank you once again, Mr. Chairman, for calling this hearing.

Mr. STUDDS. I misspoke. The gentleman is a Member of the Subcommittee on Oceanography. I thank the gentleman.

The gentleman from Florida.

STATEMENT OF HON. SAM M. GIBBONS, A U.S. REPRESENTATIVE  
FROM FLORIDA

Mr. GIBBONS. Thank you, sir. Well, first of all, Mr. Chairman, I want to say that only because I have more gray hair than Bill has—I do not know—he is doing pretty well—but I know I am older than he is; therefore, I will claim the first right to speak. I would ask unanimous consent that my formal statement be entered in the record and that I be allowed to proceed informally.

Mr. STUDDS. Without objection, the humane request is granted.

Mr. GIBBONS. Mr. Chairman, we, from the Tampa Bay area—that includes Congressman Young, Congressman Bilirakis, Congressman Ireland, and Congressman Goss—have introduced a bill to include Tampa Bay in the EPA estuary program.

We think it is very, very important that it be included in the estuary program. First of all, Tampa Bay is one of the largest estuaries in the Nation, and at one time was one of the most productive estuaries in the Nation.

Tampa Bay was settled because it was such a productive estuary. It not only produces a lot of mature fish and other marine products for human consumption, but it serves as a nursery for many, many more fish and crustaceans that inhabit all the waters of the Gulf.

As you know, these crustaceans and these small fish need a proper environment in which to grow to adulthood, and Tampa Bay has always produced the protective waters and the proper degree of salinity for these kinds of products to grow to maturity.

Unfortunately, the encroachment of man upon nature's habitat has had a disastrous effect. There are now about 1.6 million of us who cluster around the Bay, and the runoff from our ordinary activities as well as the dumping that was done years ago in the Bay have really largely disturbed the habitat for fish and crustacean life.

It is not a new problem to us. We have been seeking to rehabilitate it. In fact, one of the first pieces of legislation I introduced when I came to Congress, and one that was passed favorably by this Committee, was a study of the problems of pollution in the Bay. From that study have come many local initiatives to better protect the Bay.

The Bay is, fortunately, better off today than it was many, many years ago, but it is really a long way away from being the fine pristine estuary that it once was. It can be restored to that, but it is going to take a lot of effort—political effort—as well as money to get it back.

The State of Florida is doing its share. The State of Florida has designated the Southwest Florida Water Management District, which is a political subdivision of the State involving about 3.5 to 4 million people, and has given to the Southwest Florida Water Management District the authority and power to control and redevelop this very important estuary.

So the State of Florida is moving. The local cities and counties around the Bay are doing their part by removing their direct polluted sewer effluent from the Bay, and so the Bay is much better off now than it was just a few years ago. But I can't tell you, Mr.

Chairman, how far it must go, and it is going to require not only Florida's efforts but the Nation's efforts to get this accomplished.

The people in our area are very proud of Tampa Bay. Most of the problems of the Bay have been created by a lack of foresight—by a lack of knowledge—and not out of any attempt to really destroy the Bay. We live around it. It is beautiful. It is a productive fishing ground even today, but it can be much more productive if it is properly managed and controlled.

So we are working on it but we need your help. After Mr. Young and other Members of Congress have talked today, I would like to introduce two people from the Tampa Bay area who have a direct responsibility in this cleanup process who are here to present statements on behalf of their organizations.

Well, that completes my statement, Mr. Chairman, and I will be glad to yield for questions, or to Mr. Young, or to other Members of our Florida delegation who are here in support of this.

[The prepared statement of Mr. Gibbons follows:]

PREPARED STATEMENT OF HON. SAM M. GIBBONS, A U.S. REPRESENTATIVE FROM  
FLORIDA

I've been privileged to represent Tampa, Florida, here in the House for a little over a quarter of a century. During that time I've watched with great dismay the degradation of Tampa Bay—the largest open water estuary in Florida which is extremely polluted. I'm greatly concerned about conservation and restoration of the Bay, and I urged Governor Bob Martinez to nominate Tampa Bay to the U.S. Environmental Protection Agency's National Estuary Program. The Governor did, in fact, officially nominate Tampa Bay on October 3, 1988.

On February 22 of this year, I introduced a bill, H.R. 1063, which would add Tampa Bay to the National Estuary Program, and I'm pleased to say the bill has strong bipartisan support from the other Members who represent the Tampa Bay area—Mr. Young, Mr. Ireland, Mr. Bilirakis, and Mr. Goss.

Tampa Bay is the primary asset of my community. The City of Tampa faces the Bay—economic and social life revolve around it. Commercial and recreational fishing, marine industries, shipping and tourism are all dependent on the quality of the Tampa Bay Estuary. You probably know that the Tampa Port is the seventh largest in terms of exports.

The Bay is also a national asset whose environmental, ecological, commercial and recreational importance cannot be overstated. It is one of the most diverse and productive ecosystems in our country. It is a breeding ground for many species of fish, and it provides haven and food for endangered species such as sea turtles and manatees. It serves as a major recreational asset to both the 1.7 million residents living within the three counties surrounding the Bay and to the thriving tourist industry. Unfortunately, the Bay has suffered tremendously from extensive agricultural, industrial, and urbanization activities.

It seems to me that the National Estuary Program was intended for precisely such estuaries as Tampa Bay. I hope you will agree by reporting my legislation, H.R. 1063, from this Subcommittee and urging your Committee colleagues to report it for floor consideration.

I'm glad that Peter Hubbell, executive director of the Southwest Florida Water Management District, and Hillsborough County Commissioner Jan Platt, also chairwoman of the Agency on Bay Management of the Tampa Bay Regional Planning Council, could come here today to testify. Mr. Hubbell and Commissioner Platt have a very strong concern about the destruction of the Bay, and they want to let you know just how vital it is for Tampa Bay to be included in the National Estuary Program. Both the Southwest Florida Water Management District and the Tampa Bay Regional Planning Council have worked closely with the Governor's office and with me in trying to reach our goal of cleaning up and restoring Tampa Bay.

Thank you for the opportunity to present this statement.

Mr. STUDDS. Thank you, sir. Mr. Young, welcome.

STATEMENT OF HON. C.W. BILL YOUNG, A U.S. REPRESENTATIVE  
FROM FLORIDA

Mr. YOUNG. Thank you very much, Mr. Chairman. We appreciate your taking the time to schedule, on a relatively short notice, the hearing on this bill, H.R. 1063, which is very important to those of us who represent the Tampa Bay area.

We appreciate in the past, the several times that your Committee has come to our assistance and our defense on matters of importance to our area.

And then I would like to compliment you on your new Member, Mr. Goss, from Florida, and I am satisfied, if he has not made his mark already, that he soon will because he is an outstanding Member of the Congress, and an outstanding citizen of the West Coast of Florida.

Mr. Chairman, our State has more miles of coastline than any other State in the union. That gives us a considerable interest in anything affecting our environment, especially our waterways. The quality of our waterways is one of the top priorities that concern all of us, and Mr. Gibbons and I have had the opportunity to work together for a long time as we deal with the problems relative to Tampa Bay.

When the National Estuary Program was created, the Tampa Bay area was not listed in the original legislation as one of the priority projects.

This concerned us considerably because we felt that it should have been, and the Committee on Appropriations, the committee that I have the privilege to serve on, listened to our request and agreed to an amendment to name, in the Appropriations Bill, the Tampa Bay area as a waterway of critical need and as an important consideration for inclusion in the National Estuary Program.

And I might say, Mr. Chairman, the Appropriations Committee was serious about this, because at the time they adopted the amendment they also increased the appropriation by over \$1 million, indicating that we were ready to provide the money as well as the direction to include the Tampa Bay area.

Tampa Bay is an ideal candidate for the National Estuary Program. Congressman Gibbons has pointed out our needs and some of the serious problems, and I will not take the time to review those again. I will include them in my prepared statement for the record.

But the rapid growth of the population in the area has created very, very severe problems, and I know you are well aware of that.

The local leaders—our local governments, our community leaders, the various planning organizations that we have—are all concerned about this problem, and some of them are here to add support to the bill today.

We ask for your support and ask for your favorable consideration of H.R. 1063 in order to include the Tampa Bay area in the National Estuary Program.

What we have done at the Appropriations Committee level is a good indication of the intent of the Congress, but, properly, it should be done in authorizing legislation, and that is why we think it is very important to have H.R. 1063 enacted.

Mr. Chairman, I would like to submit for the record a lengthy, more formalized statement on this subject, if you have no objection. Thank you.

[The prepared statement of Mr. Young follows:]

PREPARED STATEMENT OF HON. C.W. BILL YOUNG, A U.S. REPRESENTATIVE FROM FLORIDA

Mr. Chairman, I join my good friend and colleague from Florida, Mr. Gibbons, to thank you and the Members of your Committee for scheduling this hearing today and for allowing us to testify about the urgent need for Federal assistance to plan a coordinated approach to clean up Tampa Bay.

As you know, our great state of Florida has more miles of coastline than any other state in our Nation and for this reason, restoring and preserving the environmental quality of our waterways is one of our state's top priorities. Sam Gibbons and I have been working for more than two years to make Federal assistance available to Tampa Bay through the National Estuary Program.

The House Appropriations Committee I serve on last June approved my appendment to the appropriations bill which funds the Environmental Protection agency directing EPA to give Tampa Bay high priority when reviewing nomination packages. In addition, we worked with Governor Bob Martinez to expedite his submission of the nomination package for the project.

Tampa Bay is an ideal candidate for the National Estuary Program, which was designed to encourage cooperative efforts among state and local officials to develop management plans for the restoration and protection of troubled waterways. Florida and Tampa Bay area government and environmental leaders are united in their desire to solve Tampa Bay's problems and to return it to the pristine waterway it once was, where wildlife and vegetation thrived and where Florida residents and visitors could enjoy its varied recreational opportunities.

The rapid growth of the population in the Tampa Bay area has placed enormous pressure on our ability to protect our fragile local environment. The runoff from the new development of land and from discharges into the Bay have left us with a waterway in urgent need of action if we are to bring it back to life.

The causes for Tampa Bay's decline are many and the solutions to the problem will have to come from a united effort of community leaders. Given the great expanse of Tampa Bay, many Florida communities are affected by its deterioration and will benefit from its cleanup. In fact, four members of our state Congressional delegation represent areas that border Tampa Bay.

Local leaders already have begun the development of a plan of action in the Tampa Bay area. You will hear in just a few minutes from officials of the Southwest Florida Management District and the Tampa Bay Regional Planning Council, who have been at the forefront of bringing the communities together to address Tampa Bay's problems. Federal support for their efforts would provide the urgently needed resources to develop the most comprehensive possible plan with the goal of a quick turnaround to the implementation phase so that actual work can begin in a coordinated fashion to cleanup this important Florida natural resource.

Your support for H.R. 1063, legislation to include Tampa Bay into the National Estuary Program, would help us in expediting the release of Federal funds to get this project underway. As a Member of the Appropriations Committee, I already have begun work to provide the necessary funds to ensure Tampa Bay's participation in the program and to fully staff the National Estuary Program at EPA to provide technical assistance in the preparation of a coordinated cleanup effort.

Thank you again for your ongoing interest in this project and for your efforts to expedite the consideration of this legislation.

Mr. STUDDS. I thank you. I thank you both very, very much. I have had an opportunity to talk with you both personally and at the staff level, and I am impressed by the magnitude of the problem confronting the Bay area.

I do not have any questions at the moment. Do Members have questions of our two colleagues?

The gentleman from Delaware is speaking to his beeper, or does he have a—

Mr. CARPER. I was speaking to the Chairman.

Mr. STUDDS. Oh. The gentleman is recognized.

Mr. CARPER. Just a word of welcome to each of our colleagues, and to say that having parents who live not far from where the areas that you both represent, I am particularly sensitive to the needs of the area.

You may have addressed this question in your comments, but why do you suppose that Tampa Bay did not turn up on the original list of bodies for the estuary program?

Mr. GIBBONS. I wish I knew the answer to that. I do not know.

Mr. CARPER. Bill, any idea?

Mr. YOUNG. I think at the time we were not aware that the projects were going to be listed in the authorizing bill, specifically by name, and probably were—to be honest with you—caught a little short when the bill came out, and the projects were in fact listed, not to our knowledge. That is why we immediately responded by going to the only other vehicle available at the time, which was an Appropriations Bill, and in that Appropriations Bill had the Tampa Bay project listed as one to receive priority consideration.

And as I stated in my other comments, at the same time, we increased the appropriation by over \$1 million to indicate that we were serious and intended that the Tampa Bay be included.

Mr. CARPER. Fair enough. Thank you.

Mr. STUDDS. The gentleman from Florida.

[No response.]

Mr. STUDDS. Sam, I understand you would like to introduce the witness. Please go ahead.

Mr. GIBBONS. Yes. I have two other witnesses, Mr. Chairman, both of whom are professionals, and are very well acquainted with this project.

The first one I want to introduce is Mrs. Jan Platt. Mrs. Platt is an elected official of the State of Florida. She is on the Board of County Commissioners of Hillsborough County. She, incidentally, has a larger constituency than I do, so you want to give not only respect for her position but the fact that she wins by not only greater majorities, but has more people to satisfy than I do.

She has long been interested in environmental matters and has been one of the chief proponents on the Board of County Commissioners of environmental matters.

She is also Chairman of the Agency on Bay Management of the Tampa Bay Regional Planning Council. Having served as Chairman of the Hillsborough County Commission and also the Tampa Bay Regional Planning Council, she has been chiefly responsible for Bay management and conservation matters in these areas.

So I would first like to introduce Mrs. Platt, and I will yield to her a place at the table. Then I will come back and introduce the other witness after Mrs. Platt is finished.

Mr. STUDDS. Mrs. Platt, welcome.

#### STATEMENT OF JAN K. PLATT, CHAIRMAN, TAMPA BAY REGIONAL PLANNING COUNCIL, AGENCY ON BAY MANAGEMENT

Ms. PLATT. Thank you very much, Congressman Gibbons, and thank you very much for scheduling this hearing, and for having

me come to address you. It is really an honor and it is really a privilege to speak on Tampa Bay because there is such a great deal of community support for the efforts that are currently occurring in our counties for Tampa Bay, and I think that to make it part of the National Estuary Program would be a feather in everyone's cap, and would be something that we could all be proud of in years to come.

Tampa Bay is the cradle of our area's marine ecosystem. It is the largest open estuary in the State of Florida, and it is located on the west-central coast of peninsular Florida, and is 35 miles in length and 10 miles wide, and with its intertidal wetlands area, the Bay spans 398-square miles.

It is bordered by the counties of Pinellas, Hillsborough and Manatee, but it is also impacted by additional counties, and those counties are Pasco, Polk, and Sarasota, which lie within the Bay's 2,200-square mile watershed.

In addition to these six counties, the Bay system is further influenced by 17 local governments, and a multitude of Federal, State, and regional regulatory agencies.

Clearly, Tampa Bay is a regionally significant water source. More than 1.8 million people live in the three counties which border the shores of Tampa Bay, and nationwide, the Tampa Bay metropolitan area has the third-largest growth rate in the United States.

The Tampa Bay estuary has significant impacts on this progressive region's economy and is likewise being affected, environmentally, by the area's growth.

You might be interested to know that the largest property owner on our bay is owned by the Federal Government, and that is MacDill Air Force Base, and that base employs more than 7000 military personnel, and 1,700 civilian employees, and it is one of the most important employers in our area.

Tampa Bay is also an important gateway for water, or a water gateway. It has 42 nautical miles of channels, and the Port of Tampa ranks ninth in the Nation in tonnage shipped and received.

There are three ports on our bay. The Port of Tampa, Port Manatee, and St. Petersburg Port. Last year alone, the Tampa Port Authority announced a banner year with nearly 15 million tons of cargo crossing the port's docks.

Port of Tampa revenues have more than tripled in the past decade, and the port is flourishing as a center for international trade.

Tampa Bay is also the center of the region's commercial fishing industry, and when I walked in here today, two representatives from the Organized Fishermen of Florida asked me to indicate that they support naming this as a part of the National Estuary System.

In 1984, 22.1 million pounds of finfish and shellfish were landed in the Tampa Bay area, including Hillsborough, Manatee and Pinellas Counties.

That year's catch was valued at \$19.5 million, and when you add the economic value of recreational fishing in Tampa Bay waters, it translates into an additional \$197 million, and those are in 1983 dollars.

But unfortunately, there have been adverse impacts to the Bay, because with the shipping, with the urbanization that is occurring, we have noticed that there has been a 41 percent decrease in mangroves, and an 80 percent decrease in the Bay's seagrasses.

Some of the fisheries have completely collapsed, and that is the harvesting of scallops, oysters and stone crabs. So we must now institute proper management to restore this vital industry.

Another nationally significant economic factor attributed to Tampa Bay is found in the revenue generated by water recreation activities. Tampa Bay is a favorite vacation area for Americans, and for each of the past several years, the retail sales reported for motor boats, yachts, and marine accessories has been upwards of \$180 million in our region.

In addition, the total annual economic value of salt-water beach activities, and boat ramps used in the Bay area is estimated to be about \$23 million. In every part of the bay activities, members of the Agency on Bay Management—which I chair—are working together to restore the declining areas of the estuary, and to protect those which are faring well.

And our agency has basically been the lead agency in picking up on the fact that you had mentioned that we were not in the National Estuary Program. We did not even know about it until after it had already passed, and we found out that Sarasota Bay had already been named, and so now we have been playing "catch up" ever since, so that we, too, could be named.

But it is our agency that has basically been the lead in the efforts to become a part of the program. Now our agency is made up of not only elected officials, but representatives of the State House of Representatives, the State Senate, the State Regulatory Committees. From the Federal side, we have a representative from the U.S. Army Corps of Engineers, the U.S. Geological Survey, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the port authorities. The three port authorities I mentioned are part of our group.

The Greater Tampa Chamber of Commerce; the local utility companies; the National Audubon; the League of Women Voters. In other words, we have brought together the broad, diverse interests of the Bay, and the representatives of those diverse interests have unanimously voted and worked diligently to try to get the Bay as part of the National Estuarine System Program.

Local residents do support protection of Tampa Bay. Some examples of public participation include the island cleanup efforts which Congressman Gibbons led for Egmont Key recently, and then in April of 1989 the cleanup of Tampa Bay efforts—again which Congressman Gibbons participated in. He is always down there helping us clean up our bay, and we really thank him for it.

And on that last one, the citizens recovered more than 37 tons of trash. And so to get that much trash took a lot of people, and the people are concerned. When our major utility in Hillsborough County announced plans to build a new power plant near one of the pristine areas of our bay, there was such a public outcry that that public utility has stopped and said, wait, we will reassess whether that is the appropriate location.

And for our community, for a major group like that to say, "Wait, we'll reevaluate," is an indication that our business community is becoming aware of the importance of our bay.

The people in the three counties that border the Bay—Manatee, Pinellas and Hillsborough—have all voted to tax themselves in order to buy environmentally sensitive lands.

Now, how many times do you find that the public votes to tax themselves? But all three counties, the voters have done that. In Hillsborough County alone, 72 percent of the voters who voted voted yes, to tax themselves a quarter of a mil for 4 years to buy environmentally-sensitive lands, and the cornerstone of their program was to buy lands that were adjacent to the Bay, Cockroach Bay islands.

The same was true in Manatee and Pinellas, that the key lands that were sought to be purchased were those surrounding the Bay. Also, the State of Florida has supported initiatives to protect Tampa Bay. Governor Martinez has nominated the Bay for inclusion in the National Estuary Program, again, after he found out that we were not included originally.

Also, our State legislature passed SWIM legislation which will be discussed with you in just a few minutes, and in that program, Tampa Bay was designated the State's first-priority water body.

The media has been very quick to pick up and respond to bay issues, and we have had broad media support and editorial support for inclusion of the Bay. Another point for you to consider is that Sarasota Bay, just south of Tampa Bay, as you already know, has already been included in the program, and the Sarasota and Tampa estuarine systems are interrelated, and should be afforded the same opportunities for restoration.

These waters are, by nature, a regional system, and when something affects Tampa Bay, it most surely will impact Sarasota Bay as well.

A network of data collection and available expertise already exists to help with the National Estuary Program. Through the Agency on Bay Management, and the efforts of the Southwest Florida Water Management District, we have many of the strategies already in place that will put us ahead of the other programs that are just beginning at ground zero.

I submit to you that the expertise we have gained through a coordinated approach in Tampa Bay can indeed serve as a case study to be applied to other estuaries in the country.

We are utilizing innovative technical approaches cultivating a living laboratory of restoration techniques that could be tried elsewhere.

The State, local, and Federal agencies are now cooperating specifically to conduct seagrass transplanting and research. We have an active artificial reef program. The State-sponsored SWIM Program is in process.

Our State Department of Transportation is going to convert our old Sunshine Skyway Bridge into the longest fishing pier in the world.

We have a gillnet license, that the three counties have passed, that those fees go to restoration. So basically, what I am saying about the financial commitment is that the people have voted to

tax themselves and we are using varied strategies to get local monies for restoration.

In addition, Tampa Bay shares many problems and attributes with other surface water bodies nationwide. Urbanized areas require restoration while pristine environs focus on preservation as a management tool. An advanced stage of management and planning in Tampa Bay will bring vital experience to the EPA National Estuary Program.

We can utilize State SWIM and Federal NEP funds to enhance Tampa Bay, and apply similar objectives quickly to other areas. We believe that the Tampa Bay region is of national significance, and we urge you, we urge you to make Tampa Bay part of the National Estuary Program. Thank you. I would be glad to answer any questions, and you may want to wait until after Peter Hubbell with Southwest—

[The statement of Ms. Platt can be found at end of hearing.]

Mr. STUDDS. Thank you very much. I think we will do just that and allow Mr. Gibbons to introduce Mr. Hubbell at this point, and we will save questions for you all together.

Mr. GIBBONS. Thank you. Why don't you just stay seated there, Jan. I told you she would have a good message, and she has, and that typifies the kind of work she has done as an elected official. I am very impressed with her statement.

I want to introduce next Mr. Peter Hubbell. Mr. Hubbell is the Executive Director of the Southwest Florida Water Management District. This is a State agency that has taxing authority on its own. It does not just depend upon appropriations from the State legislature, although it does get some from that source.

It also is the cooperative agency with other Federal programs with which you are familiar. The Southwest Florida Water Management District controls all of the water in this area, and it has been charged with the specific responsibility of cleaning up Tampa Bay. It has an ongoing program and has been cooperating with the EPA, looking forward to the eventual incorporation of Tampa Bay into the estuary program.

So, Mr. Hubbell is a professional in his area, and I would like to ask him to come forward, please, and give his statement.

Mr. STUDDS. Welcome, Mr. Hubbell.

#### STATEMENT OF PETER G. HUBBELL, EXECUTIVE DIRECTOR, SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Mr. HUBBELL. Thank you very much, Mr. Chairman. I appreciate the opportunity to be here today, to speak in favor of the nomination of Tampa Bay into the National Estuary Program.

As has been mentioned by the two congressmen and commissioner Platt, this is a vital resource in the Tampa Bay area. A little bit about the Southwest Florida Water Management District.

We are one of five water management districts in the State of Florida. SWIFTMUD, as we are more commonly known, is responsible for managing water quality and water quantity in wetlands protection for west-central Florida. Our water management district encompasses over 10,000 square miles. All are parts of 16 different

counties and includes 93 different forms of local Government. We do include the whole Tampa Bay watershed within our boundaries.

Effective water management in our district really incorporates many comprehensive programs. We have regulatory functions and regulatory responsibilities which include surface-water management, well-construction permitting, which is very, very crucial in our part of Florida because about 85 percent of all the water used in west-central Florida is from groundwater sources. And consumptive-use permitting.

We have a large community affairs area, with planning, local Government coordination, and public communication, that stresses public awareness and environmental education.

But what I really want to dwell on is our resource-management area, where we have a number of resource projects, data-collection efforts. We also have a land acquisition and management effort in which we are trying to coordinate with Hillsborough County to cooperate on future acquisition sites.

But the one I want to spend a little time on—as you have heard mentioned—is the SWIM Program, which stands for the Surface Water Improvement and Management Program.

And together, all of these programs I think make up an organization that effectively and efficiently manages water resources in Southwest Florida.

But the Surface Water Improvement and Management Program is really an exciting new program that has recently come to the water management district.

It was formed by a bill adopted by the Florida legislature in 1987, essentially to restore and preserve water bodies of statewide or regional significance.

What the bill did: It mandated to all five water management districts for us to develop priority lists of water bodies in our particular districts in need of restoration or preservation. We were then to generate management plans, or essentially, the road map to identify what the problems are with water quality, and what we need to do as far as programs and projects to really rectify these problems.

And then the last part of the SWIM Program is to implement these recommendations, and implement these projects and programs.

Funding for this program is 80 percent from the State of Florida through the SWIM trust fund, and 20 percent from the water management district or other local matches.

Due to some of the dramatic cuts over the past 3 years in requested dollars from the Florida legislature, it is a constant effort by the water management districts and local Governments to seek out other sources of revenue to support the cleanup of Tampa Bay.

As has been mentioned, although the district was to evaluate 100s of water bodies, rivers, lakes, throughout our boundaries, the Florida legislature mandated that Tampa Bay not only be on the district's list, but would be SWFMD's number one priority, due to its statewide significance and its importance to the Southeastern United States.

Tampa Bay, as has been mentioned, is a large open-water estuary located on the west coast of peninsular Florida. It is the largest

open-water estuary in the State of Florida, and constitutes an asset of great national, State, and regional significance.

Its value is evident, even when examined from numerous perspectives, some of which have already been mentioned: biological, demographic, tourism, recreation, institutional advantages, and industrial advantages. But the rapid urban and industrial development of the Tampa Bay area has radically changed the character and ecology of Tampa Bay and its adjacent estuarine systems.

The presence of Tampa Bay on the Florida Sun Coast has historically shaped and continues to influence the economic base of the counties and cities surrounding the bay system.

Of the roughly 175 largest cities in the United States, the cities of Tampa and St. Petersburg rank 55th and 61st, respectively, on that list, and when you look at the Tampa-St. Pete-Clearwater metropolitan area, that ranks 20th largest in the United States, with a population, as has been mentioned, of close to 2 million people.

The Tampa Bay estuarine system is both directly and indirectly a vital important economic asset to the Florida Sun Coast, and when you take into consideration the myriad of uses and attributes of the Tampa Bay system, which include commercial fishing, shipping and port-related activities, the benefits to sanitary and electrical systems, waterfront property values, tourism and recreation—their total annual value can be placed at approximately \$3 billion a year.

But to summarize the problem that we are facing with the clean-up of Tampa Bay, essentially, Tampa Bay is not grossly polluted, and it is certainly not beyond the point of rehabilitation.

There are parts of the Bay that are cleaner than others for both natural and cultural reasons, and the levels of some pollutants in the Bay have been declining over the past decade while some pollutants have been increasing.

But when you look at the overall quality of Tampa Bay, and you judge that both by ecological and human-use criteria, they are very, very similar.

Causes of degradation and conditions which threaten degradation of remaining healthy areas have been grouped into essentially five different categories, and they include water-quality improvement, habitat protection and restoration, fisheries management, development and use of the Bay, and developing the legal framework for future comprehensive management of Tampa Bay.

The water management district has begun the process, in cooperation with the Agency on Bay Management, which acts as the advisory committee to the district on the Tampa Bay cleanup. We have developed a management plan which has been provided to the committee ahead of time, in conjunction with the SWIM legislation.

The plan was prepared as an action plan with specific programs and projects identified to make improvements through four main initiatives, and they include water-quality improvement, improvement to natural systems, development and public use to make sure we get can people out on the Bay, once we have had some success in cleaning it up, and, ultimately, bay management of the system.

Several reasons I think have been identified for a Tampa Bay management conference through the National Estuary Program. I

think that rapid urbanization of this vulnerable system in which problems have really national significance can be meaningfully addressed, represent the primary basis for the management conference needs.

I just think there is a lot of transfer value on what can be gained through the Tampa Bay experience. I think the Bay is seriously threatened by continuing development and over-use impacts. There has been significant industrial impacts, and an overall disregard for watershed management in that 2200 square-mile watershed that Commissioner Platt mentioned.

The designation of Tampa Bay as an estuary of national significance is vital to the ongoing restoration activities.

I believe that the likelihood of a successful NEP management conference for Tampa Bay is great because of the previous ongoing and future efforts and activities, most of which emphasize a local resource-management initiative necessary for successful implementation.

A significant level of local matching funds will be available and public support is and will continue to be significant.

Regional and State funding programs are available, both through local Government, through the water management district and the State.

And also, that there is adequate scientific research and technical expertise in the area to address data shortfalls and conduct the new reports and studies necessary to address some of the data gaps that are out there, and needed to be done on the Tampa Bay area.

I believe, in closing, that we have a genuine opportunity to have a real success story with Tampa Bay. I think that by combining forces on the Federal, State, regional and local levels, we can turn around the degradation that plagues this important water body, and I believe that national designation of this water body is an important action, and one that I hope this Subcommittee will take seriously.

Again, I want to thank you for the opportunity to address you here today to discuss these important issues that affect the Tampa Bay region.

Mr. STUDDS. Thank you very much, sir. Thank you all. I do not really have major questions. It seems to me you make a very compelling case. As you both spoke, I was skimming the Governor's nomination report on the SWIM plan which is fascinating, and I wish I had more time to read them.

Just how close is the connection, ecologically, between Tampa Bay and Sarasota Bay? I mean, I know what the map looks like. Are they essentially distinct regions or would it make more sense to study and manage them as one?

Mr. HUBBELL. I have heard a lot of arguments that it is one system, and should be studied and managed as a whole. There are two distinct watersheds that contribute to Sarasota Bay and to Tampa Bay, respectively, but as an interaction with some of the estuarine areas, in many areas they do act as one system.

Mr. STUDDS. Has any thought been given to somehow combining the two rather than seeking two separate designations, or amending the original designation to make it a single one?

Mr. HUBBELL. The water management district is acting for the State of Florida, acting as the local sponsor for the NEP program in Sarasota Bay. That has just gotten off the ground, probably in the last year, year and a half, and that is being looked at as that particular program and project progresses.

Mr. STUDDS. One of the things that strikes a new visitor to the Bay region, at least this one, when I first saw it, was the extent to which we—that is to say, man, has—I do not know if you call them causeways or roadways, or skyways, or what you call them—but the highways that seem to have been built in and through the Bay must have an extraordinary effect on what would normally be the circulating patterns of the water, and in turn, on the whole ecology of the Bay.

Is that as it seems?

Mr. HUBBELL. Yes, and especially some of the bridges that cross the Bay, in the upper ends of the Bay, where the natural circulation patterns are poor anyway, and you have got essentially man-made disruptions by the bridges that cross, and that compounds the problem.

Mr. STUDDS. How long ago were those things constructed?

Mr. GIBBONS. I guess I am the oldest one around here. I can tell you. The Skyway, which you are familiar with, was built in 1952, but it had been a project considered for many, many years, and fought over and fought over; ultimately, it was a compromise between all the communities around there.

The Howard Frankland Bridge, which is Interstate 4 or 275, was built in 1962 or 1963, and it is now in the process of being eight-laned. I cannot keep track of how they designate them now, but it is an extension of all of that. It goes from Tampa to St. Petersburg across the Skyway and then hooks in with 75 down around Bradenton.

The Davis Causeway is the next youngest and it was finished in 1935. It was a private project that the Federal Government acquired during the war years because of the war effort in that area to expedite transportation.

It has now grown into eight-lanes, and it is largely Causeway. It does cause, in the upper Tampa Bay, quite an obstruction of water.

Then Gandy Bridge, which is our oldest bridge, connects Tampa and St. Petersburg—the southern part of Tampa, the northern part of St. Petersburg—and was finished in about 1924. The only thing all of them have in common is that I crossed them the first day they were opened.

Mr. STUDDS. Each and every one of them.

Mr. GIBBONS. So I have a vivid recollection of them, and if we had to do them all over again, I think we would not.

Mr. STUDDS. I assume that that kind of massive filling would no longer be permitted.

Mr. GIBBONS. There is no doubt about it. You know, what we did in the period from about 1925 until about 1955 should never have been done. If it was to be done, it should have been done on a much smaller scale and with much more forethought.

But in those days Florida was a pioneer area. We had less than 1 million population. We now have 13.2 million people and we just never anticipated the growth, Mr. Chairman, I regret to say.

Mr. STUDDS. All areas of the country are now wrestling, in one way or another, with actions that consequences of which were utterly unforeseen when they were taken.

Mr. GIBBONS. Terribly, terribly unforeseen, and we just did not know enough about what we were doing.

Mr. STUDDS. Let me turn to the gentleman from Florida. Mr. Goss. We have got a lot of gentlemen from Florida around here, but—

Mr. GIBBONS. Let me say we are real proud of him, too. He has been an environmentalist before he came here. He is a genuine one.

Mr. STUDDS. I hope it lasts.

[Laughter.]

Mr. STUDDS. We are happy to have him on the Committee, too.

Mr. Goss. Thank you, Mr. Chairman, very much, and I want to very much congratulate my colleague from Florida for the leadership he has taken today, and the commissioner, and the executive director of the regional water management program down there. I am personally very well acquainted with Tampa Bay because I live nearby, and have for some 20 years. I cannot claim anything like the distinguished gentleman from Florida's record there, but I remember he was the one who got the road open down to our part of the State, so you have got a piece of that glory, too.

I think that the reason that I got associated with this effort is because the need is so obvious, and the homework has been so well done by the people there, as we have heard in the testimony today.

There is a big constituency, to be sure. I think Tampa is a national treasure in many ways, and adds a great deal to the national scene, the national economy, and goes well beyond just the 2 million people who live around it.

And I think that it is very indicative, and very revealing of the amount of commitment, that we have got the State heavily involved, local Government, regional Government—every level of Government—and a very strong constituency that is perhaps not organized into any particular group but many groups that have an interest in the health of Tampa Bay and the future of Tampa Bay.

And of course there is no partisanship involved in this at all. It is a need we see, and something we feel very, very strongly about.

I do not know of much controversy at all in this project. How we missed the boat the first time out, I am not sure, but, clearly, we should not miss it, and that is the reason we have gone to take the step that we have taken.

I agree with you, Mr. Chairman, that the State is off to a very good start with the work that has been done under the SWIM Bill. It does not go quite far enough, which is why we wanted to get into this area of priority consideration under section 320, which is actually what this bill addresses, and why we are here today.

I have nothing more to add to that. I know the answers to most of the questions that I would ask. The testimony has already been very good, and rather than take up any of the time from anybody else who might wish to query more, who does not have the benefit and privilege of living there with these people in this beautiful part of the world, I would yield back.

Mr. STUDDS. Your continual mentioning of the numbers of people who live around the Bay, and their regular accretion reminds me of the meeting my delegation had this morning on the subject of redistricting. But I will not get into that.

Let me just note for the record that we have present from the EPA, Ms. Michelle Hiller, from the Office of Marine and Estuarine Protection. I did not call you to the table. I understand you do not have a prepared statement, but that you were prepared, if there were any questions in your area, to respond to them.

I agree with Mr. Goss. I am not aware of any controversy surrounding this. Obviously the communities and the regional Governments have done a great deal of work. If life were more leisurely, I would be tempted to ask one of you about a statement I see in the SWIM document here. "The Bay has a mixture of diurnal and semi-diurnal tides."

That is a subject of considerable interest to someone from New England where we have regular, normal kinds of tides.

And your average tidal range is 1.2 feet. That is of particular interest to somebody from New England.

Just for the fun of it, what is a mixed diurnal, semi-diurnal tide? Can anybody answer me that, just for the fun of it? If you cannot, you do not get designated.

[Laughter.]

Mr. GIBBONS. All I know is there are spring tides, and other tides that correspond with the full moon, the sun being in the northern hemisphere, and the regular flow of the tides, and we get some pretty good tides at that time. But our tides are picayune compared to your tides, Mr. Chairman. And, of course, as you know, the closer you get to the equator the less tidal action there is.

A part of our problem is that we do need more flushing action in the Bay, and the Causeways that you have pointed out have inhibited the flushing action. But even greater than that has been the growth of the area—the number of people pressing upon that precious body of water.

Mr. STUDDS. I understand.

Mr. GIBBONS. And the fact that we did things to it we just did not understand, from fertilizing grass too much to dumping sewage in there that was not properly treated, really ate up a lot of the oxygen supply.

When I see the mountains of oyster shells that are a result of the oysters that used to be there, Mr. Chairman, you could feed half of the Nation off the oysters. They still grow, to a large extent, but of course they are inedible because of the pollution.

But we do supply the nursery stock for most of the shrimp in that part of the Gulf and most of the other game fish in that part of the Gulf. They need that brackish water of which Tampa Bay uniquely supplies such a large proportion in order to propagate and grow to maturity.

And so we are not just talking about a little bay. This is a huge, and a huge problem, and a huge national asset.

Mr. STUDDS. I appreciate that. I cannot help thinking that they would all be a bit healthier for a good solid dose of winter once in a while. It cleans out the system.

Mr GIBBONS. Unfortunately, that did away with a lot of our mangroves, which we used to always try to cut down. Now we realize how silly that was.

Mr. STUDDS. I did not mean to put anybody on the spot with my question about the tides, nor do I want you to infer any great expertise on my part.

I must tell you, that once in a while, I get so fascinated by the tides, that I re-read and re-read again, a book I have that purports to explain them all to me. I plan to read the book again. It is very complex.

Mr GIBBONS. Well, the more I read about tides the less I understand them.

Mr. STUDDS. That is the same problem I have. But I would ask that whatever final document that you submit does provide an explanation of a mixed diurnal and semi-diurnal tide. I am fascinated by that.

If there are no other questions, I want to thank our colleague, Mr. Gibbons, and our colleague, Mr. Young, whom I guess has left at this point, and the two witnesses. We appreciate the amount of effort that has gone into this.

We appreciate that you have come a long way, although the weather here must remind you of home at this time of the year. For the rest of us, it is just this side of insufferable. Summertime here. But welcome to Washington, and I hope that this chore does not necessitate your leaving Florida again. I do not anticipate any difficulty with the legislation.

Mr GIBBONS. Well, we appreciate your sincere interest in this, Mr. Chairman.

Mr. STUDDS. Thank you all, and the Subcommittee stands adjourned.

[Whereupon, at 2:57 p.m., the Subcommittee was adjourned, subject to the call of the Chair.]

101ST CONGRESS  
1ST SESSION

# H. R. 1063

To amend the Federal Water Pollution Control Act to add Tampa Bay, Florida,  
to the National Estuary Program.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1989

Mr. GIBBONS (for himself, Mr. YOUNG of Florida, Mr. BILIRAKIS, Mr. IRELAND,  
and Mr. GOSS) introduced the following bill; which was referred jointly to  
the Committees on Public Works and Transportation and Merchant Marine  
and Fisheries

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## A BILL

To amend the Federal Water Pollution Control Act to add  
Tampa Bay, Florida, to the National Estuary Program.

- 1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That section 320(a)(2)(B) of the Federal Water Pollution  
4        Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by insert-  
5        ing "Tampa Bay, Florida;" after "Sarasota Bay, Florida;".

○

TAMPA BAY, FLORIDA  
NATIONAL ESTUARY PROGRAM

PRESENTED TO:

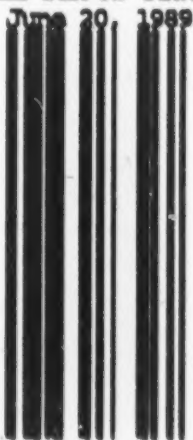
THE UNITED STATES HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION

SUBMITTED BY:

TAMPA BAY REGIONAL PLANNING COUNCIL  
AGENCY ON BAY MANAGEMENT  
ST. PETERSBURG, FLORIDA

Commissioner Jan K. Platt, Chairman

June 20, 1989



MR. CHAIRMAN, HONORABLE MEMBERS OF THE HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION, I AM JAN PLATT, CHAIRMAN OF THE TAMPA BAY REGIONAL PLANNING COUNCIL'S AGENCY ON BAY MANAGEMENT, AN ORGANIZATION OF PUBLIC AGENCIES AND PRIVATE ENTITIES WHOSE GOAL IT IS TO WORK TOGETHER TO PROTECT AND ENHANCE TAMPA BAY. I THANK YOU FOR THIS OPPORTUNITY TO DISCUSS HR 1063, A BILL TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO ADD TAMPA BAY, FLORIDA, TO THE NATIONAL ESTUARY PROGRAM. THIS BILL HAS ALREADY BEEN GRANTED BIPARTISAN CO-SPONSORSHIP BY THE TAMPA BAY REGION'S CONGRESSIONAL DELEGATION.

TAMPA BAY IS A NATIONALLY SIGNIFICANT ESTUARY. I IMPORE YOU TO CONSIDER THIS FACT, AND I AM HERE TODAY TO SEEK YOUR SUPPORT, TO ACHIEVE THE DESIGNATION OF TAMPA BAY AS A PRIORITY WATER BODY IN THE NATIONAL ESTUARY PROGRAM.

TAMPA BAY IS THE CRADLE OF OUR COMMUNITY'S MARINE ECOSYSTEM. IT IS THE LARGEST OPEN WATER ESTUARY IN THE STATE OF FLORIDA, LOCATED ON THE WEST CENTRAL COAST OF PENINSULAR FLORIDA. TAMPA BAY IS Y-SHAPED; 35-MILES IN LENGTH AND 10-MILES WIDE. WITH ITS INTERTIDAL WETLAND AREAS, THE BAY SPANS 398-SQUARE MILES, AND IS ENCIRCLED BY 904 MILES OF SHORELINE.

BORDERED BY THE COUNTIES OF PINELLAS, HILLSBOROUGH AND MANATEE, TAMPA BAY IS IMPACTED BY THREE ADDITIONAL COUNTIES, PASCO, POLK AND SARASOTA, WHICH LIE WITHIN THE BAY'S 2,200-SQUARE MILE WATERSHED. IN ADDITION TO THESE SIX COUNTIES, THE BAY SYSTEM IS FURTHER INFLUENCED BY SEVENTEEN LOCAL GOVERNMENTS AND A MULTITUDE OF FEDERAL, STATE AND REGIONAL REGULATORY AGENCIES. CLEARLY, TAMPA BAY IS A REGIONALLY SHARED RESOURCE, WHICH REQUIRES THE COMPLETE COORDINATION OF EFFORTS BETWEEN THESE ENTITIES.

MORE THAN 1.8 MILLION PEOPLE LIVE IN THE THREE COUNTIES WHICH BORDER THE SHORES OF TAMPA BAY, AND, NATIONWIDE, THE TAMPA BAY METROPOLITAN AREA HAS THE THIRD-LARGEST GROWTH RATE IN THE UNITED STATES. THE TAMPA BAY ESTUARY HAS SIGNIFICANT IMPACTS ON THIS PROGRESSIVE REGION'S ECONOMY AND IS LIKEWISE BEING AFFECTED ENVIRONMENTALLY BY THE AREA'S GROWTH.

TAMPA BAY IS A VITAL NATIONAL RESOURCE, IMPACTED BY AND PROVIDING A RESOURCE FOR ESTABLISHMENTS WHICH ARE LOCATED IN OUR COMMUNITY BECAUSE OF ITS LOCATION AND CHARACTERISTICS. FOR INSTANCE, THE LARGEST OWNER OF BAY-BORDERED LAND IS MACDILL AIR FORCE BASE, ONE OF OUR NATION'S MOST CRITICAL SECURITY BASES. MACDILL AIR FORCE BASE HAS MORE THAN 7,000 MILITARY PERSONNEL AND 1,700 CIVILIAN EMPLOYEES, MAKING THE BASE ONE THE BAY AREA'S LARGEST EMPLOYERS. THE VERY PRESENCE OF THE BASE ATTRACTS AVIONICS AND DEFENSE CONTRACT INDUSTRIES TO THE BAY AREA.

TAMPA BAY IS AN IMPORTANT WATER GATEWAY. IT HAS 42 NAUTICAL MILES OF CHANNELS AND IS THE HOME OF THREE PORTS: MANATEE, ST. PETERSBURG AND THE PORT OF TAMPA. TAMPA'S PORT IS 1,000 ACRES IN TOTAL AREA, AND RANKS NINTH IN THE NATION IN TONNAGE SHIPPED AND

RECEIVED. IN YEAR-END 1988, THE TAMPA PORT AUTHORITY ANNOUNCED A BANNER YEAR, WITH NEARLY 51 MILLION TONS OF CARGO CROSSING THE PORT'S DOCKS. PORT OF TAMPA REVENUES HAVE MORE THAN TRIPLED IN THE PAST DECADE, AND THE PORT IS FLOURISHING AS A CENTER FOR INTERNATIONAL TRADE.

TAMPA BAY IS ALSO THE CENTER OF THE REGION'S COMMERCIAL FISHING INDUSTRY. IN 1984, 22.1 MILLION POUNDS OF FINFISH AND SHELLFISH WERE LANDED IN THE TAMPA BAY AREA, INCLUDING HILLSBOROUGH, MANATEE AND PINELLAS COUNTIES. THAT YEAR'S CATCH WAS VALUED AT \$19.5 MILLION, AND WHEN YOU ADD THE ECONOMIC VALUE OF RECREATIONAL FISHING IN TAMPA BAY WATERS, IT TRANSLATES INTO AN ADDITIONAL \$197 MILLION (IN 1983 DOLLARS).

ADVERSE IMPACTS ON THE BAY HAVE ALREADY COST OUR NATION'S SEAFOOD INDUSTRY. BECAUSE OF THE LOSS OF 80% OF THE BAY'S SEAGRASSES, 41% OF ITS MANGROVES AND WATER QUALITY PROBLEMS, A COMPLETE COLLAPSE OF THE HARVESTING OF SCALLOPS, OYSTERS AND STONE CRAB IN TAMPA BAY HAS OCCURRED. WE MUST NOW INSTITUTE PROPER MANAGEMENT TO RESTORE THIS VITAL INDUSTRY.

ANOTHER NATIONALLY SIGNIFICANT ECONOMIC FACTOR ATTRIBUTED TO TAMPA BAY IS FOUND IN THE REVENUE GENERATED BY WATER RECREATION ACTIVITIES. TAMPA BAY IS A FAVORED VACATION SPOT FOR AMERICANS, AND, FOR EACH OF THE PAST SEVERAL YEARS, THE RETAIL SALES REPORTED OF MOTORBOATS, YACHTS AND MARINE ACCESSORIES HAS BEEN UPWARDS OF \$180 MILLION. IN ADDITION, THE TOTAL ANNUAL ECONOMIC VALUE OF SALTWATER BEACH ACTIVITIES AND BOAT RAMP USE IN THE BAY AREA IS ESTIMATED TO BE \$23 MILLION.

IN EVERY PART OF TAMPA BAY, MEMBERS OF THE AGENCY ON BAY MANAGEMENT ARE WORKING TOGETHER TO RESTORE DECLINING AREAS OF THE ESTUARY AND PROTECT THOSE WHICH ARE FARING WELL. THE TAMPA BAY REGIONAL PLANNING COUNCIL'S AGENCY OF BAY MANAGEMENT, CONVENED IN SEPTEMBER 1985, IS A USEFUL FORUM FOR SHARING INFORMATION RELATED TO BAY MANAGEMENT ISSUES. THIS ALLIANCE OF LOCAL, STATE AND FEDERAL AGENCIES, ORGANIZATIONS AND INTEREST GROUPS FORMED UNDER THE AUSPICES OF THE REGIONAL PLANNING COUNCIL INCLUDES A DIVERSIFIED MEMBERSHIP. AMONG ITS MEMBERS ARE STATE LEGISLATORS; THE DEPARTMENT OF ENVIRONMENTAL REGULATION; THE DEPARTMENT OF NATURAL RESOURCES; THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT; FLORIDA SEA GRANT; THE U.S. ARMY CORPS OF ENGINEERS; THE U.S. GEOLOGICAL SURVEY; THE U.S. FISH AND WILDLIFE SERVICE; THE NATIONAL MARINE FISHERIES SERVICE; THE TAMPA, MANATEE AND ST. PETERSBURG PORT AUTHORITIES; THE GREATER TAMPA CHAMBER OF COMMERCE; LOCAL UTILITY COMPANIES; THE NATIONAL AUDUBON SOCIETY AND THE LEAGUE OF WOMEN VOTERS. THE CROSS SECTION OF PUBLIC AND PRIVATE INTERESTS THIS MEMBERSHIP REPRESENTS IS A STRONG INDICATOR OF THE LEVEL OF IMPORTANCE OUR COMMUNITY, OUR STATE AND OUR NATION ASCRIBES TO TAMPA BAY.

LOCAL RESIDENTS DO SUPPORT PROTECTION OF TAMPA BAY. SOME EXAMPLES OF PUBLIC PARTICIPATION INCLUDE BAYSHORE AND ISLAND CLEANUP EFFORTS, SUCH AS ONE WITH VOLUNTEERS SPONSORED BY

CONGRESSMAN GIBBONS ON EG MONT KEY, AND THE APRIL, 1989 CLEANUP OF TAMPA BAY, DURING WHICH CITIZENS RECOVERED MORE THAN 47 TONS OF TRASH.

PUBLIC OUTCRY RESULTED WHEN A LOCAL POWER COMPANY PROPOSED TO BUILD A NEW PLANT ADJACENT TO ONE OF THE BAY'S MOST PRISTINE AREAS. SO LOUD WAS THIS CRY, THE COMPANY HAS DECIDED TO INVOLVE THE ENVIRONMENTAL COMMUNITY TO REASSESS THE LOCATION OF THE NEW PLANT.

OUR PEOPLE HAVE EVEN VOTED TO TAX THEMSELVES IN ORDER TO PROTECT LANDS ADJACENT TO THE BAY. MANATEE COUNTY RESIDENTS APPROVED A BOND REFERENDUM TO RAISE MONEY FOR LAND PURCHASE BY A 78.6% VOTE. IN PINELLAS COUNTY, PROPERTY TAXES WERE RAISED FOR THE PURCHASE OF ENDANGERED AREAS BY AN OVERWHELMING MAJORITY. IN HILLSBOROUGH COUNTY, 72% OF THE VOTERS DECIDED TO TAX THEMSELVES FOR FOUR YEARS TO PROTECT SENSITIVE LANDS.

THE STATE OF FLORIDA ALSO SUPPORTS INITIATIVES TO PROTECT TAMPA BAY, FROM GOVERNOR MARTINEZ, WHO NOMINATED THE BAY FOR INCLUSION IN THE NATIONAL ESTUARY PROGRAM, TO PASSAGE OF THE SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) ACT IN 1987. THROUGH THE SWIM PROGRAM, TAMPA BAY HAS BEEN DESIGNATED AS THE STATE'S FIRST PRIORITY WATER BODY.

THE MEDIA HAVE BEEN QUICK TO RESPOND TO BAY ISSUES, AS YOU CAN SEE FROM THE ARTICLES PROVIDED IN YOUR BACKUP MATERIALS. EDITORIALS, LETTERS AND RESOLUTIONS WERE WRITTEN TO URGE THE GOVERNOR AND LEGISLATORS TO SUPPORT THE INCLUSION OF TAMPA BAY IN THE PROGRAM.

ANOTHER POINT FOR YOUR CONSIDERATION IS THAT SARASOTA BAY, JUST SOUTH OF TAMPA BAY, HAS ALREADY BEEN INCLUDED IN THE NATIONAL ESTUARY PROGRAM. THE SARASOTA AND TAMPA ESTUARINE SYSTEMS ARE INTERRELATED, AND SHOULD BE AFFORDED THE SAME OPPORTUNITIES FOR RESTORATION. THESE WATER BODIES ARE BY NATURE A REGIONAL SYSTEM, AND WHEN SOMETHING AFFECTS TAMPA BAY, IT MOST SURELY WILL IMPACT SARASOTA BAY, AS WELL.

A NETWORK OF DATA COLLECTION AND AVAILABLE EXPERTISE ALREADY EXISTS TO CARRY OUT THE NATIONAL ESTUARY PROGRAM MANAGEMENT PLAN. AN INVESTMENT IN TAMPA BAY CAN SAVE FEDERAL DOLLARS, BECAUSE WE CAN DEVELOP A COMPREHENSIVE MANAGEMENT PLAN BASED ON THE LOCAL LESSONS WE HAVE LEARNED IN OUR BAY MANAGEMENT INITIATIVES. ACCORDING TO THE ENVIRONMENTAL PROTECTION AGENCY'S ASSESSMENT, IT MAY ONLY TAKE US TWO TO THREE YEARS AND LESS FUNDING TO ACHIEVE MEASURABLE RESULTS. OTHERS WITHOUT SUCH NETWORKS IN PLACE WOULD BE REQUIRED TO BEGIN FROM GROUND ZERO.

I SUBMIT TO YOU THAT THE EXPERIENCE WE HAVE GAINED THROUGH A COORDINATED APPROACH IN TAMPA BAY CAN INDEED SERVE AS A CASE STUDY TO BE APPLIED TO OTHER ESTUARIES IN THE COUNTRY. WE ARE UTILIZING INNOVATIVE TECHNICAL APPROACHES, CULTIVATING A LIVING LABORATORY OF RESTORATION TECHNIQUES THAT COULD BE TRIED

ELSEWHERE. LOCAL, STATE AND FEDERAL AGENCIES ARE NOW COOPERATING SPECIFICALLY TO CONDUCT SEAGRASS TRANSPLANTING AND RESEARCH, AND THE BAY HAS A VERY ACTIVE ARTIFICIAL REEF PROGRAM TO SUPPLEMENT RECREATIONAL FISHING. THE STATE-SPONSORED SWIM PROGRAM IS ESTABLISHING WATER QUALITY CRITERIA BASED ON LIVING RESOURCE AND USER REQUIREMENTS, THE DEPARTMENT OF TRANSPORTATION IS PLANNING TO CREATE THE LARGEST FISHING PIER IN THE WORLD FROM THE OLD SUNSHINE SKYWAY BRIDGE AND THE DEPARTMENT OF NATURAL RESOURCES IS CONDUCTING A COMPREHENSIVE FISHERIES ASSESSMENT TO DEVELOP A BAY-WIDE FISHERIES PLAN.

FLORIDA HAS DEMONSTRATED A FINANCIAL COMMITMENT TO FUND SUCH INITIATIVES, THROUGH FINES FOR RESTORATION PROJECTS, REQUIRED MITIGATION FOR WETLANDS IMPACTED BY INDUSTRY AND DEVELOPMENT AND DOLLARS GENERATED BY LICENSE FEES FOR RESTORATION AND RESEARCH.

IN ADDITION, TAMPA BAY SHARES MANY PROBLEMS AND ATTRIBUTES WITH OTHER SURFACE WATERBODIES NATIONWIDE. URBANIZED AREAS REQUIRE RESTORATION WHILE PRISTINE ENVIRONS FOCUS ON PRESERVATION AS A MANAGEMENT TOOL. AN ADVANCED STAGE OF MANAGEMENT AND PLANNING IN TAMPA BAY WILL BRING VITAL EXPERIENCE TO THE EPA NATIONAL ESTUARY PROGRAM FOR SUCCESS AND TIMELY APPLICATION IN OTHER ESTUARIES. WE CAN UTILIZE STATE SWIM AND FEDERAL N.E.P. FUNDS TO ENHANCE TAMPA BAY AND APPLY SIMILAR OBJECTIVES QUICKLY TO OTHER AREAS, ESPECIALLY SINCE WE ARE LIKELY TO SEE DEFINITIVE RESULTS IN A RELATIVELY SHORT TIME.

MEMBERS OF CONGRESS, THE TAMPA BAY SYSTEM IS AN EXTREMELY UNIQUE AND PRODUCTIVE ESTUARINE ECOSYSTEM. THE TAMPA BAY REGION IS OF NATIONAL SIGNIFICANCE WITH ITS BIOLOGICAL, SOCIAL, ECONOMIC AND INDUSTRIAL ATTRIBUTES. WHILE TAMPA BAY HAS HISTORICALLY BEEN IMPACTED BY URBANIZATION, I CAN ASSURE YOU, OUR CITIZENS HAVE A STRONG COMMITMENT TO IMPROVE, RESTORE AND MANAGE THE ENVIRONMENTAL FOCUS OF OUR COMMUNITY -- OUR VITAL ESTUARINE RESOURCE. DESIGNATION OF TAMPA BAY INTO THE ENVIRONMENTAL PROTECTION AGENCY'S NATIONAL ESTUARY PROGRAM WILL FACILITATE ONGOING BAY MANAGEMENT AND RESTORATION ACTIVITIES, AND WE CANNOT AFFORD TO DO ANYTHING LESS THAN THAT. I URGE YOU TO SEE THAT TAMPA BAY IS INCLUDED IN THE NATIONAL ESTUARY PROGRAM.

JUN 07 1989



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN -6 1989

OFFICE OF  
WATER

Honorable Sam M. Gibbons  
U. S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Gibbons:

On May 11 I met with you and your colleagues to discuss Tampa Bay as an estuary to which priority consideration should be given by the Environmental Protection Agency in identifying nationally significant estuaries under section 317 of the Water Quality Act of 1987. I agreed to review the 1988 Surface Water Improvement and Management (SWIM) Plan for Tampa Bay, Florida to determine whether it would fulfill the requirements for a Comprehensive Conservation and Management Plan (CCMP) under section 320 of the Clean Water Act, either completely or in part. This technical information was to assist you in making decisions on legislative initiatives.

In summary, we feel that the 1988 SWIM plan for Tampa Bay, while containing a number of worthwhile research and management projects, more closely resembles a National Estuary Program (NEP) nomination document than a CCMP. The plan lacks important components required of a CCMP, and was not developed in a manner fully consistent with the intent of the NEP. However, it is apparent that a great deal of progress has been made in identifying what needs to be done to address the problems facing Tampa Bay. Since critical components of the SWIM plan would be eligible for section 320 funds, the convening of a Management Conference for Tampa Bay would be consistent with the intent of the Clean Water Act and the purpose of the NEP. A convened Conference might complete a CCMP in two to three years, instead of the traditional five.

We have based our review of the SWIM plan upon statutory language in section 320, and NEP policy and guidance. Our comments will center around 1) whether the SWIM plan contains the required components of a CCMP, and 2) whether the process and participation requirements for the development of a CCMP have been met. Our comments are confined to the 1988 SWIM Plan and do not reflect an assessment of the Tampa Bay NEP Nomination Document submitted by Governor Martinez in October 1988.

### Components of a CCMP

#### Problem Definition and Characterization:

The first three purposes of a Management Conference under section 320 are 1) to assess trends in water quality, natural resources, and uses of the estuary; 2) collect, characterize, and assess data to identify the causes of environmental problems; and 3) develop the relationship between pollutant loadings and impacts on potential uses of the estuary. These tasks are described as the problem definition and characterization phases of an NEP program. Under program guidance, an important part of the CCMP is a "Plain English" summary of the characterization findings.

The SWIM plan identifies five broad "priority issues" rather than a clear statement of the priority problems to be addressed by the plan. The NEP emphasizes the importance of public consensus on clearly defined environmental problems and their causes, so that the public will be willing to pay for additional pollution abatement and control programs. We do not believe that the current SWIM plan meets this basic objective. Portions of the SWIM plan excerpted from other documents indicate that a thorough synthesis of available information has been conducted, although the SWIM plan does identify important data gaps which may require further study. The document further describes the selection of 18 priority programs from a much longer list according to specified criteria. However, many of the programs listed do not correspond with specific environmental problems. Instead, the list addresses the need for additional environmental assessments or characterization work.

This leads us to conclude that: 1) the process of a problem definition and characterization has not been completed; 2) priority environmental problems have not been fully identified; and 3) if a Management Conference were convened for Tampa Bay, some of this work would have to be completed in order to write a CCMP consistent with section 320.

#### Action Plans:

NEP guidance establishes that convened Management Conferences are to identify, with the public, cost-effective action plans to address priority problems. These action plans are the core of a CCMP and focus on management areas or specific pollution problems. When implemented, action plans should restore and maintain the estuary's health.

The SWIM plan describes 18 projects to be carried out over a 2-year period. An evaluation of this list of projects (enclosed) shows, that while some describe action, most are clearly activities which are usually conducted by a convened Management Conference in the development of a CCMP. As such, these activities would be eligible for funding under section 320.

We are further concerned that the descriptions of the action projects are sketchy, and not closely tied to well-defined priority problems. Also, although the committees which developed it contained representatives from a number of government entities, the SWIM Plan does not appear to contain commitments for action from offices other than the Southwest Florida Water Management District. Under NEP guidance, action plans in a CCMP must describe who will do what, when, and how. We believe that firm commitments from all members of the Conference to implement the CCMP are essential. If these commitments are in the Plan when it is approved by the Governor of the State and the EPA Administrator, the Plan will be implemented and restoration of the estuary will be achieved.

#### Process and Participation Requirements

The Tampa Bay SWIM plan, while based in part on previous management plans and synthesis documents, was developed by two committees: an Internal Review Committee composed of Water Management District personnel, and the Agency on Bay Management's (ABM) Special Committee on the Tampa Bay Management Plan. Although the ABM committee included a wider representation of interests, it falls short of the diverse membership requirements for Management Conferences under the NEP. For example:

- o The ABM committee includes a representative from the USGS; other critical federal agencies such as EPA, the National Oceanographic and Atmospheric Administration, Soil Conservation Service, and the Corps of Engineers were not members;
- o Local governments are poorly represented: only the regional planning council and one county are members;
- o Under NEP guidance, broader local scientific representation is needed to increase review and evaluation of scientific studies supporting problem definition and characterization; and
- o A greater range of environmental, industry, and general public participation is required to build the consensus needed to support implementation.

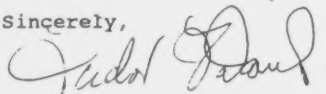
-4-

Another important point is the NEP requirement for public involvement in the development of the management plan, and in the selection of cost-effective clean-up measures, in addition to the traditional public education efforts. Although the SWIM plan discusses public meetings and workshops where comments were received on the plan, it is not clear to what extent the public was able to affect the selection of priority programs and projects contained in the final plan.

We are pleased to provide this evaluation of the 1988 Tampa Bay SWIM plan to you, the Southwest Florida Water Management District, State of Florida and EPA Region IV. Should you require further information or assistance, please feel free to contact me at 382-7166 or Michelle Hiller, Director of the Technical Support Division, at 475-7108.

Thank you again for your interest in protecting Tampa Bay and your support for the National Estuary Program.

Sincerely,



Tudor T. Davies, Director  
Office of Marine and Estuarine  
Protection

cc: Dale Twachtmann  
Peter Hubbell  
Bruce Barrett

Enclosure

Characterization of Projects in the 1988 SWIM Plan for Tampa Bay in Relation to NEP \*

Table V - 1

| <u>Listing of Priority Projects</u>                                | <u>NEP Step or Purpose</u> |
|--------------------------------------------------------------------|----------------------------|
| Tampa Bay Data Compilation - Phase II                              | Step 8                     |
| Water Quality Assessment                                           | Purpose 1, 2               |
| Review of Southwest Florida Water Management District rules        | Purpose 4                  |
| Prioritization of urban sub-basins                                 | Purpose 4                  |
| Urban stormwater retrofit projects                                 | Implementation             |
| Sediment characterization and management studies                   | Purpose 1, 2               |
| Habitat restoration                                                | Implementation             |
| Aerial mapping of habitats associated with Tampa Bay               | Purpose 2                  |
| Agricultural soil and water conservation plans                     | Implementation             |
| Environmental enforcement and compliance monitoring                | Implementation             |
| Consultation on local government comprehensive plans               | Purpose 4                  |
| Model environmental and land use ordinances                        | Implementation             |
| Assessment of existing environmental policies and land regulations | Purpose 4                  |
| Preservation of habitats for Tampa Bay                             | Implementation             |
| Short-term research projects for Tampa Bay ecosystem               | Purpose 2                  |
| Modeling of Tampa Bay ecosystem                                    | Purpose 3                  |
| Public education about Tampa Bay                                   | Purpose 4                  |
| Long-term bay management plan                                      | Purpose 4                  |

\* characterization based on brief project descriptions included in the SWIM plan

Southwest Florida Water Management District